IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

Bail Appl..No. 4798 of 2007()

CRIME NO.658/2004 OF AMBALATHARA POLICE STATION

: PETITIONER/ACCUSED (IN CUSTODY):

K. SATHEESAN, S/O. LATE ACHUTHAN,
KUNDAMKUZHI, BATHUR, BELURE VILLAGE,
KASARGOD DISTRICT.

BY ADV. SRI.THOMAS ABRAHAM

RESPONDENTS: COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. STATION HOUSE OFFICER,
AMBALATHARA POLICE STATION, KASARAGOD DISTRICT.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4798 of 2007

Dated this the 8th day of August, 2007

ORDER

Application for regular bail. The crux of the allegations against the petitioner is that he has committed offences punishable under Sections 376, 313 and 379 I.P.C. He had allegedly committed rape on the victim. Miscarriage was caused. Her articles were stealthily removed. The crime was registered in the year 2004. The petitioner was arrested on 4.7.07. He continues in custody from that date.

2. The learned counsel for the petitioner asserts and the learned Public Prosecutor concedes that marriage between the petitioner and the alleged victim has now taken place in accordance with law and they are living as man and wife.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

4. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall execute a bond for Rs.25,000/- (Rupees Twenty five thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

ii) The petitioner shall make himself available for interrogation before the Investigating Officer as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-